

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Deidre Sherell Jackson,

Case No. 20-cv-749 (ECT/TNL)

Plaintiff,

v.

ORDER

Minnesota Department of Human
Services,

Defendant.

This matter comes before the Court on two letter requests from pro se Plaintiff Deidre Sherell Jackson. ECF Nos. 81, 85. In these letters, Plaintiff “request[s] an additional 15-30 days to complete Plaintiff’s Discovery Requests and to answer the Defendant[’]s Discovery Requests” due to needing additional “time to research and understand how to properly complete the documents.” ECF No. 81 at 1; *accord* ECF No. 85 at 1. Defendant Minnesota Department of Human Services has filed a responsive letter with the Court, stating that it has informed Plaintiff via email on two occasions “that Defendant agrees to a two-week extension – until July 19, 2021 – for her to respond to Defendant’s Discovery Requests.” ECF No. 84 at 1. For the reasons that follow, Plaintiff’s letter requests are denied without prejudice.

As for Plaintiff’s request to extend the time to respond to discovery served upon her by Defendant, Defendant has *already agreed* to give Plaintiff a two-week extension of time – until July 19, 2021 – to respond to those discovery requests.

As for Plaintiff’s request that she be given additional time to serve discovery on

Defendant, Plaintiff has well beyond 30 days to do so. The Pretrial Scheduling Order provides that “[f]act discovery shall be *commenced in a time to be completed* on or before November 1, 2021.” ECF No. 76 at 1. Plaintiff has ample time in which to serve her own discovery requests and has not shown good cause for an extension of the existing November 1 deadline for fact discovery. *See* Fed. R. Civ. P. 16(b)(4); *Petrone v. Werner Enters., Inc.*, 940 F.3d 425, 434 (8th Cir. 2019). Plaintiff should bear in mind, however, that this deadline is the “deadline[] for completing [fact] discovery, not for commencing discovery. To be timely, a discovery request must be served far enough in advance of the applicable deadline that the responding party’s response is due before the discovery deadline.” D. Minn. LR 16.2(d)(3); *see, e.g., Mallak v. Aitkin Cty.*, No. 13-cv-2119 (DWF/LIB), 2016 WL 8607391, at *12 (D. Minn. June 30, 2016) (“[T]here is ample case authority holding that, to be timely, a discovery request must be served in time to be completed by the close of the discovery period.”).

Based on the foregoing, **IT IS HEREBY ORDERED** that Plaintiff’s letter requests, ECF Nos. 81 and 85, are **DENIED WITHOUT PREJUDICE**.

Date: June 29, 2021

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

*Jackson v. Minnesota Department of
Human Services*
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